



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 3038-98
23 November 1999



Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 18 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you were evaluated by a medical board on 13 August 1987, and placed on limited duty for a period of twelve months, because of residuals of second and third degree burns of your extremities and burn wound cellulitis. You underwent a pre-separation physical examination on 23 November 1987, and were found physically qualified for separation. You indicated that you were in good health at that time. You were voluntarily discharged from the Navy on 26 December 1989. The Department of Veterans Affairs awarded you 10% ratings for scars of the right and left legs effective 10 June 1994.

The Board noted that in order for you establish that you should have been separated or retired from the Navy by reason of physical disability, you must demonstrate that you were unfit for duty at the time of your discharge. Your record indicates that you were fit for duty at that time, and that you declined to reenlist and continue your career in the Navy. The fact that the VA granted you disability compensation in 1994 is not probative of your contentions of error and injustice, because that agency awards compensation without regard to the issue of fitness for military service. Accordingly, your application has been denied. The names



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MR BRUCE J ZGODA
10062 ERIE ROAD
IRVING NY 14081

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